

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TIVO INC.,)	
)	
<i>Plaintiff,</i>)	Case No. 2:09-cv-257-JRG
)	
v.)	
)	
VERIZON COMMUNICATIONS, INC.;)	JURY TRIAL DEMANDED
VERIZON SERVICES CORP.; VERIZON)	
CORPORATE RESOURCES GROUP, LLC;)	
VERIZON CORPORATE SERVICES)	
GROUP INC.; and VERIZON DATA)	
SERVICES LLC,)	
)	
<i>Defendants.</i>)	
)	

TIVO'S SUBMISSION OF JURY MATERIALS

Pursuant to this Court's Docket Control Order, Plaintiff TiVo Inc. ("TiVo") hereby submits the following jury materials:

Attached as **Exhibit A** hereto is TiVo's Proposed Preliminary Jury Instructions.

Attached as **Exhibit B** hereto is TiVo's Proposed Final Jury Instructions.

Attached as **Exhibit C** hereto is TiVo's Proposed Verdict Form.

TiVo reserves the right to revise, amend or supplement these materials as the case progresses, for example, as a result of the issues to be tried being further framed by the parties and the Court, in response to instructions proposed by Defendants, as the law and facts change or are clarified, as well as any other reason that might arise during the case. Nothing contained in these materials is an admission by TiVo that any particular issue is properly deemed a question

of law for the Court under governing legal standards, is a question of fact for the jury, or vice versa. TiVo submits these materials with a full reservation of its rights.

Date: September 7, 2012

Respectfully submitted,

/s/ Sam Baxter

Co-Counsel:

IRELL & MANELLA LLP

Morgan Chu

mehu@irell.com

Andrei Iancu

aianew@irell.com

Joseph M. Lipner

jlipner@irell.com

Richard M. Birnholz

rbirnholz@irell.com

Thomas C. Werner

twerner@irell.com

1800 Avenue of the Stars, Suite 900

Los Angeles, CA 90067

Tel: (310) 277-1010

Fax: (310) 203-7199

ROBINS, KAPLAN, MILLER & CIRESI LLP

Ronald J. Schutz

rjschutz@rkmc.com

Cyrus A. Morton

camortion@rkmc.com

Michael A. Collyard

macollyard@rkme.com

Andrea L. Gothing

algothing@rkmc.com

2800 LaSalle Plaza

800 LaSalle Avenue

Minneapolis, MN 55402-2015

Telephone: (612) 349-8500

Facsimile: (612) 339-4181

McKOOL SMITH, P.C.

Samuel F. Baxter

Lead Attorney

Texas State Bar No. 01938000

sbaxter@mckoolsmith.com

104 E. Houston St., Suite 300

Marshall, Texas 75670

Telephone: (903) 923-9000

Facsimile: (903) 923-9099

Rosemary Snider

Texas State Bar No. 18796500

rsnider@mckoolsmith.com

Garret W. Chambers

Texas State Bar No. 00792160

gchambers@mckoolsmith.com

McKool Smith, P.C.

300 Crescent Court, Suite 1500

Dallas, Texas 75201

Telephone: (214) 978-4000

Facsimile: (214) 978-4044

John F. Garvish, II

Texas State Bar No. 24043681

jgarvish@mckoolsmith.com

300 W 6th St. Suite 1700

Austin, Texas 78701

Telephone: (512) 692-8700

Facsimile: (512) 692-8744

Attorneys for Plaintiff TiVo Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who has consented to electronic service on this 4th day of September, 2012. Local Rule CV-53(a)(3)(A).

/s/ Garret Chambers
Garret Chambers